

APR. 16. 2004 7:04PM

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NUMBER OF PAGES INCLUDING COVER PAGE: 12

DATE: April 16, 2004

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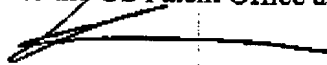
703.305.3597

FROM: Mark D. Penner

BUSINESS PHONE: 416.863.4283  
SECRETARY EXT.: 416.863.2631

**MESSAGE:**

Pursuant to 37 C.F.R. § 1.8, I certify that the following correspondence has been transmitted via facsimile transmission to the US Patent Office at telephone number 703-305-3597 (TC 2600) on April 16, 2004.

Signature: 

Date: April 16, 2004

Name: Mark D. Penner

Appl. No. : 10/073,110  
Applicant : Edward MCGUGAN  
Filed : February 12, 2002  
Title : SLIDE RAIL ADJUSTMENT FOR GRADER BLADE  
Art Unit : 3671  
Examiner : Alexandra K. Pechhold

Docket No. : 55717/220  
Customer No. : 27871

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FILE REFERENCE: 55717/220

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*this fax  
received in  
CFC 5/24/04*

PTO/SB/21 (08-03)

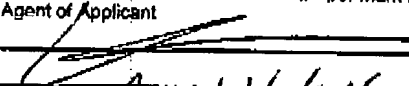
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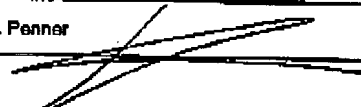
<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/073,110	
	Filing Date	02/12/2002	
	First Named Inventor	MCGUGAN, Edward	
	Art Unit	3671	
	Examiner Name	PECHHOLD, Alexandra K.	
Total Number of Pages in This Submission	11	Attorney Docket Number	55717/220

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Request for Continued Examination - Preliminary Amendment
Remarks _____		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	BLAKE, CASSELS & GRAYDON LLP per Mark D. Penner (Reg. No. 48,092) Agent of Applicant		
Signature			
Date	April 16/04		

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Mark D. Penner		
Signature		Date	April 16, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 1720.00**Complete If Known**

Application Number	10/073,110
Filing Date	02/12/2002
First Named Inventor	MCGUGAN, Edward
Examiner Name	PECHHOLD, Alexandra K.
Art Unit	3871
Attorney Docket No.	55717/220

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

02-2553

Blake Cassels &amp; Graydon LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$)</b> 0.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>			<b>(\$)</b> 0.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	21812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	21804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	21805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	950.00
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 280	2403 145	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	2460 130	Petitions to the Commissioner	
1807 50	21807 50	Processing fee under 37 CFR 1.17(q)	
1806 160	21806 160	Submission of Information Disclosure Stmt	
8021 40	28021 40	Recording each patent assignment per property (times number of properties)	
1808 770	2808 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	770.00
1802 900	2802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$)

1720.00

**SUBMITTED BY**

Name (Print/Type) Mark D. Penner

Registration No. 48,092  
(Attorney/Agent)

(Complete if applicable)

Telephone 416.863.4283

Signature

Date April 16, 2004

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APR. 16. 2004 7:06PM

Appl. No. 10/073,110

Reply to Office action of October 16, 2003

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Mark D. Penner, Registration No. 48,092

April 16, 2004

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Mark D. Penner  
Box 25, Commerce Court West  
Toronto, Ontario, Canada  
M5L 1A9

27871  
PATENT TRADEMARK OFFICE

Thank You.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

April 16, 2004

Appl. No. : 10/073,110  
Applicant : Edward MCGUGAN  
Filed : February 12, 2002  
Title : SLIDE RAIL ADJUSTMENT FOR GRADER BLADE  
Art Unit : 3671  
Examiner : Alexandra K. Pechhold

Docket No. : 55717/220  
Customer No. : 27871

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Appl. No. 10/073,110  
Reply to Office action of October 16, 2003

**PRELIMINARY AMENDMENT**

Sir:

This letter is filed in response to the Office action of October 16, 2003. It is filed contemporaneously with a Petition for a three month extension of time under 37 CFR 1.136, with fee pursuant to 37 CFR 1.17(a) extending the date for response to April 16, 2004.

It is also contemporaneously filed with a Request for Continued Examination transmittal under 37 CFR 1.114 with the fee pursuant to 37 CFR 1.17(e).

The Applicant requests entry of the following preliminary amendment of this continued application.

**Listing of the claims** begins on page 3 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.